

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ADVANCED ENERGY INDUSTRIES, INC.,  
Plaintiff,  
v.  
MKS INSTRUMENTS, INC., and APPLIED  
SCIENCE AND TECHNOLOGY, INC.,  
Defendants.

**STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), Advanced Energy Industries, Inc. and MKS Instruments, Inc. hereby jointly stipulate to dismissal with prejudice of all claims and counterclaims asserted in this action. Each party will bear its own costs.

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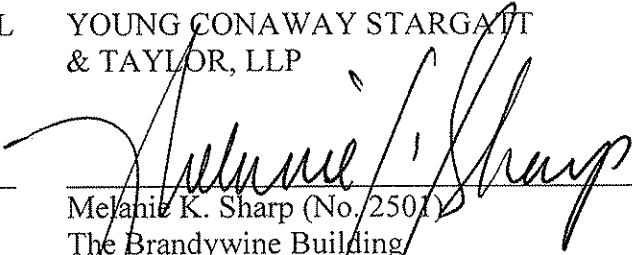
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Dated: October 4, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2005, I electronically filed a true and correct copy of the foregoing document using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

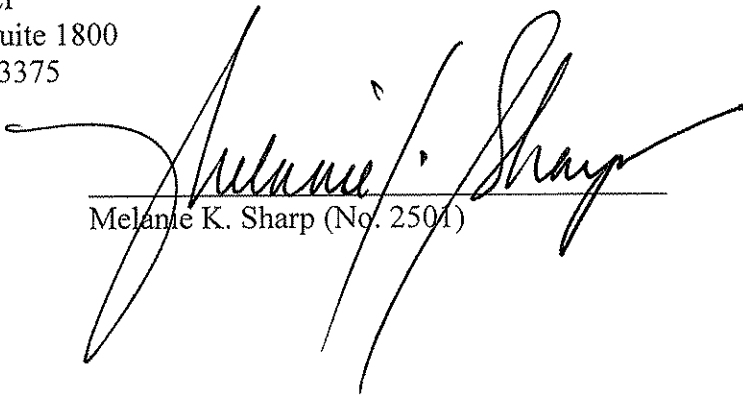
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I further certify that on October 4, 2005, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following participants in the manner indicated:

**BY E-MAIL AND 1<sup>ST</sup> CLASS MAIL**

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